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LONG ISLAND OFFICE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JOSEPH E. DUNCAN,

Plaintiff,

-against-

CIGNA LIFE INSURANCE COMPANY
OF NEW YORK,

Defendant.
-----X

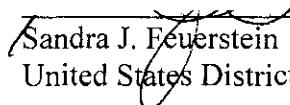
FEUERSTEIN, J.

On March 15, 2010, plaintiff Joseph E. Duncan ("plaintiff" or "Duncan") commenced this action against CIGNA Life Insurance Company of New York ("defendant" or "CLICNY") pursuant to the Employee Retirement Income Security Act of 1974, 29 U.S.C. §§ 1001 et seq. ("ERISA"), alleging that defendant failed to pay him long term disability benefits under an employee welfare benefit plan. By order dated December 30, 2011, the Court adopted the Report and Recommendation of Magistrate Judge Arlene R. Lindsay, and granted defendant's motion for summary judgment. [Docket Entry No. 99]. Plaintiff subsequently filed a notice of appeal. [Docket Entry No. 101].

Before the Court is plaintiff's motion to proceed in forma pauperis on appeal. [Docket Entry No. 102]. Upon review of plaintiff's submissions pursuant to Federal Rule of Appellate Procedure 24(a)(1), the Court finds that plaintiff qualifies to proceed in forma pauperis. Accordingly, plaintiff's motion is GRANTED.

SO ORDERED.

s/ Sandra J. Feuerstein


Sandra J. Feuerstein
United States District Judge

Dated: January 30, 2012
Central Islip, New York